

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED  
**04/11/2023**  
Clerk, U.S. District Court  
Western District of Texas

By: CR  
Deputy

UNITED STATES OF AMERICA

vs.

(1) JOSE GREGORIO MEDINA ANDRADE  
Defendant.

§  
§ CASE NUMBER: EP:23-M -00877(1) ATB  
§ USM Number:  
§  
§

**JUDGMENT IN A CRIMINAL CASE  
(For A Petty Offense) - Short Form**

The defendant, Jose Gregorio Medina Andrade, was represented by counsel, Ramon Guadalupe Lauser.

The defendant pled guilty to the complaint on April 11, 2023. Accordingly, the defendant is adjudged guilty of the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>
8:1325(a)(1)	IMPROPER ENTRY BY AN ALIEN	March 29, 2023

As pronounced on April 11, 2023, the defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of **Time Served plus one (1) business day**. The defendant shall remain in custody pending service of sentence.

The special assessment imposed pursuant to 18 U.S.C. § 3013 is hereby remitted pursuant to 18 U.S.C. § 3573 because of reasonable efforts to collect this assessment are not likely to be effective.

Signed on this day, April 11, 2023.

  
ANNE T. BERTON  
UNITED STATES MAGISTRATE JUDGE

b6f

**United States District Court**  
**Western District of Texas**  
**El Paso Division**

**PLEA AND SENTENCE**

**Case Number: EP:23-M -00877(1) ATB**

DEFENDANT'S NAME:  
 Jose Gregorio Medina Andrade

ATTY FOR DEFENDANT:  
 Ramon Guadalupe Lauser

JUDGE: ANNE T. BERTON  
 DEPUTY CLERK: Cecie Rodriguez  
 COURT REPORTER: ERO

AUSA: Juan Albino  
 INTERPRETER: ☒ Yes T. Saenz ☐ No  
 PROB. OFFICER: \_\_\_\_\_  
 PRETRIAL OFFICER: \_\_\_\_\_  
 TIME: 0 Minutes 9:43-10:24 AM

DATE: April 11, 2023

PROCEEDINGS	DFT NO.	[DftNo1]	[DftNo2]
<input type="checkbox"/> INITIAL APPEARANCE WAIVED		<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> ARRAIGNMENT HELD		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> DFT INFORMED OF RIGHTS/oral consent to plea		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> GUILTY DEFT [DftNo1] COUNT(S): <u>COMPLAINT</u>			
<input checked="" type="checkbox"/> GUILTY PLEA ACCEPTED BY THE COURT		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Information Filed On _____		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Motion to Dismiss Complaint filed on _____		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Court Grants Motion to Dismiss on _____		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Order Dismissing Complaint entered on _____		<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Oral Motion by AUSA to Remit Special Assessment		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Oral Order Granting Oral Motion to Remit Special Assessment		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> SENTENCING HELD: Defendant sentenced to <b>Time Served</b> + One Business Day; No Fine; S/A REMITTED.			

OTHER: As required by Rule 5(f), the United States is ordered to produce all exculpatory evidence to the defendant pursuant to Brady v. Maryland and its progeny. Not doing so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges and contempt proceedings.

**United States District Court**  
**Western District of Texas**  
**El Paso Division**

**FILED**  
**March 31, 2023**  
Clerk, U.S. District Court  
Western District of  
Texas

By: CR  
Deputy

**UNITED STATES OF AMERICA**

vs.

**(1) JOSE GREGORIO MEDINA**  
**ANDRADE**

§  
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§  
§

**Case Number: EP:23-M -00877(1) ATB**

*Defendant*


**ORDER SETTING MISDEMEANOR PLEA & SENTENCE**

IT IS HEREBY ORDERED that the above entitled and numbered case is set for MISDEMEANOR PLEA & SENTENCE in Magistrate Courtroom, Room 412, on the 4th Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, TX, on:

**Tuesday, April 11, 2023, at 10:00 AM**

IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this order to counsel for defendant, the United States Attorney, United States Pretrial Services and the United States Probation Office, and any surety or custodian, if applicable. Further, counsel for the defendant shall notify the defendant of this setting and, if the defendant is on bond, advise the defendant to be present at this proceeding.

IT IS SO ORDERED this **March 31, 2023**.



ANNE T. BERTON  
UNITED STATES MAGISTRATE JUDGE

**United States District Court**  
**Western District of Texas**  
**El Paso Division**

**FILED**  
**Mar 31 2023**  
Clerk, U.S. District Court  
Western District of  
Texas

By: CR  
Deputy

**UNITED STATES OF AMERICA**

vs.

**(1) JOSE GREGORIO MEDINA ANDRADE**

*Defendant*

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§

**No: EP:23-M -00877(1) ATB**

**ORDER APPOINTING COUNSEL**

The above Defendant has testified under oath, or has otherwise satisfied this Court that he or she is financially unable to employ counsel, and does not wish to waive counsel.

Therefore, in the interests of justice, Ramon Guadalupe Lauser, is hereby appointed, pursuant to the provisions of the Criminal Justice Act, to represent said Defendant in this case.

This appointment shall remain in effect until further order of the Court.

It is, accordingly, so **ORDERED** this the 31st day of March, 2023.



ANNE T. BERTON  
UNITED STATES MAGISTRATE JUDGE

**United States District Court**  
**Western District of Texas**  
**El Paso Division**

**FILED**  
**Mar 31 2023**

Clerk, U.S. District Court  
Western District of Texas

By: MGallegos  
Deputy

USA

vs.

(1) JOSE GREGORIO MEDINA ANDRADE  
*Defendant*

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Case Number: EP:23-M -00877(1)

8:1325(a)(1)

**INITIAL APPEARANCE**

On **March 31, 2023**, the defendant appeared in Open Court before U.S. Magistrate Judge ANNE T. BERTON. Accordingly, the defendant waived his personal appearance on the record and the Court conducted the Initial Appearance VIA VIDEO ZOOM in this case. The defendant affirmed being the person named in the charging document.

**The defendant was advised as follows:**

- 1) The nature of the charge against him/her.
- 2) The right to retain counsel or to request the assignment of counsel if he/she is unable to obtain counsel.
- 3) That he/she is not required to make any statement and that any statement he/she makes may be used against him/her.
- 4) The right to a preliminary examination if not indicted.
- 5) The right to consideration of bail.
- 6) The right to have the government or a federal law enforcement official notify a consular officer from his/her home country of nationality of the arrest.

**Attorney**

( X ) CJA Ramon Guadalupe Lauser (915) 355-0177

**Next Hearing Date/Time**

( X ) MISDEMEANOR PLEA & SENTENCE April 11, 2023 at 10:00 AM

525 Magoffin Avenue, El Paso, TX 79901 Magistrate Courtroom, Room 412

**Bond**

( X ) Bond set at: \$10K CASH OR CORPORATE SURETY

**Interpreter Needed:** Interpreter:Spanish **Record FTR Gold**

**Time:** 2:22-2:31 (0 minutes) **Arrest Date:** \_\_\_\_\_

County

Arresting Agency: U.S. Border Patrol - Aaron Dozal  
Courtroom Deputy: Cecilia Rodriguez - 915/834-0534  
Interpreter: L. Quevedo



**FILED**

March 31, 2023

AO91 (Rev. 12/03) Criminal Complaint

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS**UNITED STATES DISTRICT COURT** By: Cecie Rodriguez  
DEPUTYWESTERN DISTRICT OF TEXAS, EL PASO DIVISION**UNITED STATES OF AMERICA**  
**V.**

Jose Gregorio MEDINA ANDRADE

**CRIMINAL COMPLAINT**

Case Number:

**EP:23-MJ- 877 ATB**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 3/29/2023 in El Paso County, in the Western District Of Texas defendant(s) did, being an alien to the United States, knowingly enter and attempt to enter the United States at a time and place other than as designated by immigration officers.

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

On March 29, 2023, the DEFENDANT, Jose Gregorio MEDINA Andrade, an alien to the United States and a citizen of Venezuela, illegally entered the United States from the Republic of Mexico on March 29, 2023 by crossing the Rio Grande River approximately 3.89 miles east of the Bridge of the Americas Port of Entry in El Paso, Texas, in the Western District of Texas. The place where the DEFENDANT entered is not designated as a port of entry by immigration officers.

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

Signature of Complainant

Aaron Dozal

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

3/31/2023

Date

at

El Paso, TX

City/State

Anne T. BertonU.S. Magistrate Judge

Name &amp; Title of Judicial Officer

Signature of Judicial Officer

Complaint sworn to telephonically on  
March 31, 2023 at 11:23 am and signed  
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**

**CONTINUATION OF CRIMINAL COMPLAINT  
WESTERN DISTRICT OF TEXAS**

**Jose Gregorio MEDINA ANDRADE**

**PEPT# PEPT230300253**

**03/31/2023**

**FACTS (CONTINUED)**

**Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.**

**Immigration History:  
NONE**

**Criminal History:  
NONE**